



# California Libertarian News

Volume 6, Number 7

October 1991

## IT'S MARROU/LORD IN '92!

Libertarian Party convention delegates chose **Andre Marrou** as the party's 1992 presidential nominee on the first ballot August 31. Marrou, 52, is a former Libertarian member of the Alaska House of Representatives who now sells commercial real estate in Las Vegas. He defeated **Richard "Dick" Boddie**, a motivational speaker from Huntington Beach, CA, by a vote of 257 to 155. The convention, "Liberty Triumphant," was held in Chicago over Labor Day weekend. Californians made up 76 of the 453 delegates voting.

The vice-presidential nomination was hotly contested among Boddie, **Dr. Mary Ruwart** of Michigan, and **Dr. Nancy Lord** of Washington, D. C. Lord, a physician and attorney who is an expert on the War on Drugs, defeated Boddie on the third ballot by a vote of 223 to 185. She has pledged to campaign full time starting in January 1992.



Marrou emphasized his organizational skills and firm campaign goals during the nomination battle. His slogan was "performance, not just promises." His goals are: 1) increase national LP dues-paid membership from 9,000 to 20,000; 2) increase the party's mailing list from 18,000 to over 100,000; and 3) win over 1,000,000 votes. To achieve this, Marrou intends to be on the ballot in all 50 states and the District

of Columbia, run paid television ads, and establish organizations on at least 100 college campuses. The LP had already qualified for the ballot in 27 states by the time of the convention, with noteworthy assistance from Marrou's 51-'92 PAC. Fourteen Marrou ads ran on network TV in Chicago during the convention, the first ads of any presidential candidate in the 1992 campaign.

Delegates also elected party officers for two year terms. **Mary Gingell** of California, a former LPC state

continued on page 3

## Mc Cann Wins 38% in Assembly Race

Dr. David Mc Cann, Libertarian candidate in the September 17 special election in the 5th State Assembly District, won 11,760 votes (37.8%) to Republican B. T. Collins' 19,377 votes (62.2%). No Democrat was running. Mc Cann has set a record for a Libertarian in a California partisan race.



The district includes parts of Sacramento and Placer Counties. Many conservatives in the area were upset that the GOP nominated Collins, a career bureaucrat and former chief-of-staff to Governor Jerry Brown. Mc Cann was supported by the gun owners of California, American Pistol & Rifle Association, National Tax Limitation Committee, and Ted Costa of People's Advocate. Unfortunately, the National Rifle Association didn't come through with volunteers and direct mailings as was hoped.

Conservatives led by former State Senator H. L. Richardson pledged to raise \$50,000 for Mc Cann, provided that Libertarians pledged \$30,000. This figure was unprecedented for such a race, but a special edition of *CL News*, plus tele-

phone soliciting, brought in the required \$30,000 in Libertarian pledges, contingent on the conservative offer coming through. Richardson obviously didn't expect this would happen and ended up pulling out of the deal. He used the excuse that Mc Cann wasn't anti-abortion enough to please conservative contributors.

The 37.8% of the vote was gained with a budget of only \$15,000, so it can be theorized that an infusion of \$80,000 could have put a Libertarian into the State Assembly. Mc Cann actually made a close race of it at the polls, but lost the absentee ballots by 6,000 votes. The candidate expresses his thanks to his dedicated staff and volunteers, including **Tom Dahlberg**, **Tom Harrison**, and **Mike Belcher**, plus special help from **Ross Crain**. It's also worth noting that the Sacramento County LP has grown 30% (71 to 92 members) in the last month alone. If this election is any indication, the 1992 campaign should be the best ever for Libertarian candidates and party growth.





## FROM THE CHAIR

Pat Wright

This has been a very promising month for Libertarians. Elsewhere in this newsletter are the results of the national convention. There is a very positive feeling coming out of the convention. C-SPAN coverage has brought over 10,000 phone calls to the national LP office in Washington from people asking for more information. **Andre Marrou's** interview on the MacNeil-Lehrer News Hour brought in about 200 calls to the LPC office in San Diego, even though they didn't give out our phone number on the program.

My compliments to **Dick Boddie** for immediately jumping into the race for U. S. Senate after losing the presidential nomination. I especially look forward to the planned "Boddie for Senate" rally October 19 at the San Clemente checkpoint. We are going to dress as illegal immigrants and drive a replica of the Statue of Liberty through the checkpoint.

I would also like to extend my compliments to our candidate in the 5th Assembly District special election, **David McCann**, and everyone who worked on his campaign. By the time you read this, you will know the results. At the time of this writing, the Sacramento Libertarian Party has turned into one of our fastest growing local parties.

Growth in the state party has also been phenomenal. We've added nearly 1,000 new members in the last six months, to bring us to nearly 2,800 members. I am happy to see the character of the party change as we take in more members. We are starting to reach out beyond the computer-nerd libertarians so abundant at our meetings. Many of our new members have never heard of Murray Rothbard. The LPC now has the challenge of keeping these people as members and educating them about some of the finer points of libertarianism. We have to persuade someone who joined us because of Wilson's tax increases of the need to relegalize drugs, privatize education, and of the libertarian approach to environmental concerns. Our newsletters have to become more educational as opposed to informational.

One last controversial note: I am planning to introduce a by-laws change at the February state convention to modify or delete the non-initiation of force pledge as a requirement for membership. From our recruitment

mailings, I have been inundated with criticisms of this pledge: "I hereby certify that I do not believe in or advocate the initiation of force as a means of achieving social or political goals."

Libertarians are the orneriest people on Earth and have interpreted this pledge in numerous ways. Even a former LPC state chair won't sign it, and thus is not currently a member. Even I have to ask, can I advocate the initiation of force for personal goals and still be a member? We are trying to attract members and supporters from people who have the ability to "question authority." I believe this pledge is self-defeating. I would like to ask you for an alternative pledge or if people favor dropping the pledge. My feeling is that people who pay \$25 to join the LPC have demonstrated enough commitment to our philosophy and deserve the membership.

### EVENT OF THE MONTH:

## ASSEMBLYMAN TOM McCLINTOCK TO SPEAK



Assemblyman Tom McClintock (R-Thousand Oaks) may be the Libertarian's best friend in the Legislature. He has staunchly opposed Gov. Pete Wilson's tax hikes, has argued against mandatory motorcycle helmet laws, and was one of the few legislators to support Proposition 140, last year's term limitation initiative.

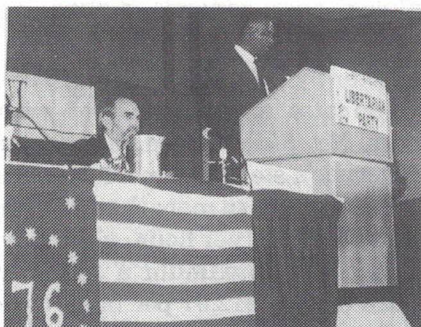
McClintock has agreed to speak at a gala Libertarian banquet on Saturday, October 12, to follow the state executive committee meeting. Location is the Odyssey Restaurant, overlooking the 405 Freeway at Rinaldi St., in Granada Hills (north San Fernando Valley). Time is 6:15 p.m. for cocktails, 7:15 p.m. for dinner, and 8:15 a.m. for the program. Cost for dinner and program is \$30 in advance (must be paid by October 7) or \$40 at the door. Program only is \$10 in advance, \$15 at the door. Send your checks to Libertarian Party of California, P. O. Box 1492, Moreno Valley, CA 92556. For information, call Pat Wright at (619) 497-1085. For directions to the restaurant, call (818) 366-6444.

### **CROCK** By Bill Rechin and Don Wilder





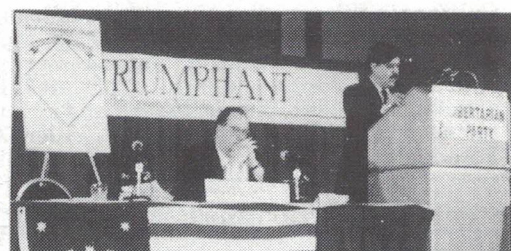
## CONVENTION HIGHLIGHTS



California's Dick Boddie makes a point during presidential debate.



Californian Mary Gingell, newly elected National Chair



Columnist Joseph Sabran describes his journey to libertarianism



California delegates deliberate on convention floor



A patriot reads the Bill of Rights

continued from page 1

chair, was elected national chair without opposition. **Steve Dasbach** of Indiana was elected vice-chair, **Joe Dehn** of Colorado was re-elected secretary, and **William Redpath** of Virginia was elected treasurer. Californians on the National Committee will be **Geoffrey Neale**, **Steve Alexander**, and **Thea McLean**.

Convention highlights included extensive platform debates, which resulted in a number of changes and additions. A new "Family Life" plank was adopted, and modifications were made to the "Foreign Intervention," "Victimless Crimes," "Safeguards for the Criminally Accused," "Government and Mental Health," "Freedom of Communication," "Protection of Privacy," "Immigration," "Health Care," "Education," and "Juries" planks. A concerted attempt to water down the party's pro-choice position on abortion was easily overcome by delegates.

Most of the convention was covered live on the C-SPAN cable network. The national party's 800 number was always visible, and over 10,000 people called in

for more information on the Libertarian Party. The coverage gave us a great deal of credibility in the political arena. You can express your thanks to C-SPAN by writing to them at 400 N. Capitol St. N. W., suite 650, Washington, DC 20001. We were also covered on several segments of CNN's Headline News. On Labor Day, Andre Marrou was interviewed by Roger Mudd on the "MacNeil-Lehrer News Hour" on PBS.

Contributions to the Marrou campaign can be sent to Marrou for President, 4750 E. Sahara, Las Vegas, NV 89104. Call (702) 431-3848 for more information.

## POLICE OFFICIALS SAY CITIZENS SHOULD TAKE UP ARMS

U. S. police chiefs see the breakdown of the justice system as the main cause of crime and believe citizens should learn how to handle weapons, according to a survey released in May. A poll taken for the National Association of Chiefs of Police surveyed heads of more than 15,400 law enforcement agencies and found that 87% think citizens "should take training in self-defense with firearms to protect their homes and property."

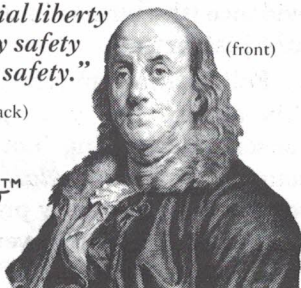
The poll showed that 83.6% believe the criminal justice system has broken down to the point that its inability to prosecute and imprison criminals is the major cause of crime, and 95.1% said that courts are "too soft on criminals in general." Nearly 90% believed their own departments are understaffed and three out of four said that they cannot provide the same level of service as a decade ago.

*"They that can give up essential liberty to obtain a little temporary safety deserve neither liberty nor safety."*

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## LETTERS TO THE EDITOR

California Libertarian News is the official newsletter of the Libertarian Party of California. Opinions and articles contained within do not necessarily represent official party positions unless so indicated. Please send articles, local news, photos, letters, and advertising copy to the editor: **Ted Brown**, 125 N. Allen Ave. #107, Pasadena, CA 91106 (818) 568-8404

### "Stealth Libertarians"

**Editor:**

The Stealth Libertarian meets the Macho Flash. A stealth libertarian is one who campaigns for office without using the name of the party in his campaign literature and who runs on a cloth-coat Republican platform that is not to be found in our party's platform.

Randall Grindle (Letters, Sept. issue) thinks it "enough for the public to support us generally because we are the only party that will cut their taxes and get government off their backs." He must be kidding! That is standard Republican boilerplate.

Michael Emerling is wrong when he suggests that some "aspects of our philosophy are most *calculated* to outrage and shock large segments of the population." His cute term "macho flash" would be better applied to a candidate hoping to win an election on good looks and vague promises.

When Mr. Grindle says that "Much of the Libertarian platform alienates the sensibilities of the government-school 'educated' public," he seems to imply that we should hide it in our dressers under the socks. Or is he doing a little flashing himself by taking a cheap shot at all those who attended such schools?

When David Walter suggests that we must "fight negative public perceptions" because "for 20 years Libertarians have been shooting themselves in the foot," he's missing the obvious. The public's negative perceptions are not against libertarianism but rather against the four L's they *think* we are: libertines, liberals, LaRouchies, and librarians.

Our job is precisely that of "preaching ideology," two words Mr. Grindle treat with contempt. We must get our often dangerous (and sometimes flashy) ideas out of the platform and into the public arena. "An idea that is not dangerous," said Oscar Wilde, "is unworthy of being called an idea at all."

Andre Marrou, in a national TV sound bite, has already said that compulsory education should be abolished. Nancy Lord has said on C-SPAN that all taxes should be abolished. I do hope that no Libertarian accuses our superb candidates of macho and macha flashing.

If every Libertarian agrees with Grindle/Emerling/Walter, we're in big trouble. As Friedrich Nietzsche said, "What everyone believes is never true."

**Robert Gehl**  
Sacramento, CA

### Flaggers Salaries

**Editor:**

In response to the letter by Dick Rider (Sept. issue), I am a Libertarian and also a civil engineer with Caltrans for eight years. Mr. Rider stated that one of the reasons for the governor's state tax increases was the claim that Caltrans flaggers earn more than \$25 per hour for regular time and over \$42 per hour on Sunday. This is incorrect. In fact, the maximum a highway maintenance worker can earn is \$12.97 per hour, with time and a half paid for weekends and holidays. Caltrans is required to pay the federal prevailing wage rate to our contractors' flaggers, however, at \$24.25 per hour. This is more than I earn. Just wanted to set the record straight.

**William R. Henry**  
Eureka, CA

### Jury Nullification Clarified

**Editor:**

In regards to John Warren's letter (Sept. issue) where he complains that "[Libertarians] go out and give leaflets to jurors and get arrested for jury tampering," California penal code section 95 prohibits "Corrupt Influencing of Jurors." Corruptly is defined as "a wrongful design to acquire or cause some pecuniary or other advantage to the person guilty of the act" (section 7.3). In practical terms, unless you have an interest or involvement in a particular case, as Dixianne Hawks did in her son's case, and try to specifically influence the jurors in that case, your First Amendment free speech rights allow you to inform the public about the process of "jury nullification."

Warning! Doug Fowle's letter (also Sept. issue) discusses lying to the judge about following the judge's instruction on the law. Such lying can lead to prosecution and conviction for perjury. This has already happened to a libertarian in Alaska. Libertarians practicing jury nullification may instead vote "not guilty," hang the jury, and veto the enforcement of bad laws with the rationale that the exercise of their just conscience does not find the defendant "guilty to a moral certainty"—not withstanding the law or the evidence (the phrase in quotes is a standard California jury instruction).

Fellow jurors and the judge may rant and rave about this action, but your power to exercise your just conscience by voting "not guilty" was upheld in federal court in *U. S. v. Moylan* (1969). California penal code section 1126 currently provides that "the jury have the power to find a general verdict which includes questions of law as well of as fact."

**Randall Grindle**  
Lower Lake, CA



## **More on IRS "Sabotage"** **Editor:**

Your September issue included a letter from Bob Foley, a newcomer to libertarianism, who wrote to say that he was "turned off by your editorial 'The Law as a Weapon' ... I want no part of a group which uses destructive, negative, and probably illegal tactics against a legitimate organization."

I was very disappointed in your response. First of all, putting a virus into a computer system is not "benign"; if it were, you wouldn't want to do it. Perhaps the word you wanted was "non-violent."

Secondly, the IRS is only a tool; the real villains are the politicians who pass laws and spend other peoples' money. New libertarians are unlikely to understand that many old timers fulminate endlessly about government in general and the IRS in particular. Few would actually throw a bomb or use a computer virus, even given the opportunity.

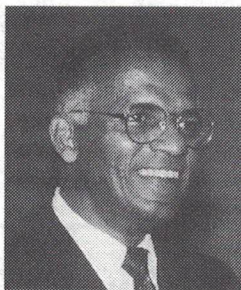
Thirdly, the Libertarian Party is not a monolith of orthodoxy and we should welcome diverse opinions and varying degrees of "purity." Part of your response was fine: you reiterated the point of the editorial. But you missed a valuable opportunity to welcome Mr. Foley to libertarianism and to explain that the party is home to as many opinions as there are members.

**Lou Villadsen**  
Santa Monica, CA

*(The Editor responds: I agree with Ms. Villadsen that "non-violent" is a more accurate term than "benign." Otherwise, I stand by my response. The IRS is more than a tool. Members of Congress have created a monster that even they fear to challenge. Please note, however, that Mr. Foley had inquired about the LP and thus received one sample copy of CL News. He did not receive the issue that included his letter and my response. I printed the letter because I thought it was interesting and would stimulate the readers of this publication.)*

(paid advertisement)

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## **NEW OR REVISED PLATFORM PLANKS**

### **FOREIGN INTERVENTION:**

We would end the current U. S. government policy of foreign intervention, including military and economic aid, guarantees, and diplomatic meddling. We would end all limitation of private foreign aid, both military and economic. Voluntary cooperation with any economic boycott should not be treated as a crime.

We would repeal the Neutrality Act of 1794, and all other U. S. neutrality laws which restrict the efforts of American citizens to aid overseas organizations fighting to overthrow or change governments.

We would no longer incorporate foreign nations into the U. S. defense perimeter. We would cease the creation and maintenance of U. S. bases and sites for the pre-positioning of military material in other countries. We would end the practice of stationing American military troops overseas.

We make no exceptions to the above.

### **JURIES:**

We oppose the current practice of forced jury duty and favor all-volunteer juries. In addition, we urge the assertion of the common-law right of juries to judge not only the facts but also the justice of the law. In all cases to which the government is a party, the judge should be required to inform the jurors of their common law right to judge the law as well as the facts, and to acquit a criminal defendant and find against the government in a civil trial whenever they deem the law unjust or oppressive.

### **HEALTH CARE (partial):**

We oppose any form of compulsory National Health Insurance, including mandatory health insurance benefits required of employers by the government. We favor abolition of Medicare and Medicaid programs. We also oppose any state or federal area planning boards whose stated purpose is to consolidate health services or avoid their duplication. We support the removal of all government barriers to medical advertising, including prohibition of publication of doctors' fees and drug prices. We further support the elimination of laws requiring prescriptions for the dispensing of medicines and other health-related items.

### **VICTIMLESS CRIMES (partial):**

We advocate ... the repeal of anti-racketeering statutes such as the Racketeer Influenced and Corrupt Organizations Act (RICO), which punish peaceful behavior—including insider trading in securities, sale of sexually explicit material, and nonviolent anti-abortion protests—by freezing assets of the accused and seizing assets of the accused or convicted ... We condemn the wholesale confiscation of property prior to conviction by the state that all too often accompanies police raids, searches, and prosecutions for victimless crimes.



## JURY RIGHTS DAY A SUCCESS

by Randall Grindle

The first annual Jury Rights Day on September 5 saw activists leafletting on courthouse steps and getting media exposure in over 18 cities, including Santa Maria, San Andreas, Lakeport, Redwood City, Santa Monica, Anaheim, La Puente, San Francisco, Oroville, San Diego, San Jose, Tustin, Long Beach, Mariposa, Fairfield, Oakland, Vacaville, Sonoma, Riverside, Placerville, Redondo Beach, and San Rafael. Similar events took place across the nation, led by a rally and press conference at the Jefferson Memorial in Washington, D. C., with speeches by representatives of nine organizations. Governors in five states—Idaho, Montana, Alaska, Indiana, and Wisconsin—issued proclamations making Jury Rights Day official in those states, as did the Legislature of Massachusetts.

On August 19, lobbying began in Sacramento for a Fully Informed Jury statute requiring judges to inform jurors of their power to judge the justice of the law. FIJA national coordinator **Larry Dodge**, Butte County Chair **Jessica Strock**, **Mark Sweany**, and **Sally Foster** met with Assemblymen David Knowles (R-Cameron Park) and Gil Ferguson (R-Newport Beach), plus assistants to Speaker Willie Brown and Assemblyman John Burton (both D-San Francisco).

These Republicans will support a FIJA bill, but a right-wing Republican sponsored bill has no chance of passage without the support of a Democratic legislative majority. Thus, North Coast Chair **Randall Grindle** has been working on gaining that support. Following suggestions by the ACLU's capitol lobbyist, he contacted John Burton, a civil libertarian with a special interest in opposing the death penalty. Burton chairs the Assembly Public Safety Committee, where the bill could originate. Paul Gerowitz, the committee's counsel, contacted Grindle at Burton's request on August 26, and discussions of the bill's language are getting underway. It is too late for a legislator to introduce the legislation this year, but 1992 is a distinct possibility.

## UPDATE: DIXIANNE HAWKS

by Randall Grindle

The case of **Dixianne Hawks**, the Butte County Libertarian charged with jury tampering for passing out fully informed jury literature at the county courthouse, has been continued until December or January. Her court appointed public defender is not handling her

case as she wants, such as by filing a writ of habeas corpus. She tried to fire him, but the court refused her request. Ms. Hawks has now filed a complaint in Federal Court in Sacramento, alleging that she is being denied proper counsel and due process. She has also filed a lawsuit against Butte County and the judge. The court is now requiring her to see a psychiatrist, which could result in her being declared unfit to stand trial. This looks surprisingly like the way Soviet dissidents were treated in the past for having the temerity to demand that the government respect their individual rights.

To donate to Ms. Hawks' defense, send your checks to Dixianne Hawks, 13803 N. Granada Drive, Magalia, CA 95954.

## NEWS BRIEFS

### the good ...

★ 75% of Americans oppose giving the cash-strapped Soviets direct financial aid and only 40% believe they should be given low-interest loans, according to a Washington Post-ABC News poll. A majority of those polled favor lifting most trade barriers between the two countries.

★ Sen. Tom Harkin (D-Iowa), a candidate for the Democratic presidential nomination, has called for the withdrawal of U.S. troops from Europe and Japan. Unfortunately, he wants to spend the savings on domestic programs instead of cutting the budget and our taxes.

### and the bad ...

★ Some Bay Area Rapid Transit directors spend lavishly at restaurants and prefer cars to their own trains in perks that go largely unchallenged, according to the San Jose Mercury News. Director John Glenn of Fremont has taken a private limousine from his home to the San Jose airport and back five times since late 1989 at a cost of \$55 to \$80 each way. "I will not leave my cars parked at the airport," Glenn said. "They will be ripped off. I own a Mercedes and a Cadillac." As for meals, he said, "Whether I go for BART or go on my own, I always eat at the best restaurants... I don't think the taxpayers expect me to lower my standards."

★ Ernest Dronenburg, a Republican member of the State Board of Equalization, doesn't seem to have any sympathy for food retailers or taxpayers concerning the collection of the new "snack tax." He says that, when in doubt, merchants should err on the side of over-collection because "that way, the only thing the state can do is require you (the merchant) to turn your tax receipts over."

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## Libertarian Party of California

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## CANDIDATES SIGN ON FOR CAMPAIGN '92

24 people have now responded to appeals urging Libertarians to come forward to run for office in 1992. 154 positions are open: 2 U. S. Senate seats, 52 U. S. House seats, 20 State Senate seats, and 80 State Assembly seats. **Dick Boddie** of Huntington Beach has announced his candidacy for one of the U. S. Senate seats.

Others who have expressed interest in running are **Eric Roberts** of Gault, **Charles Harris** of Santa Rosa, **Duggan Dieterly** of San Jose, **Greg Nirod** of San Francisco, **Larry Campbell** of Marina, **Chuck Corcoran** of Fresno, **David Morley** of Thousand Oaks, **Peggy Christensen** of Granada Hills, **Perry Way** of Burbank, **John Mosely** of Los Angeles, **Adam Ackler** of Los Angeles, **Bill Gaillard** of Redondo Beach, **Blake Ashley** of Downey, **John McCready** of Whittier, **Mike Piltch** of Pomona, **Jack Dean** of Fullerton, **Claudia Todd** of Garden Grove, **Gary Copeland** of Santa Ana, **Life Michael Jones** of Riverside, **Gene Berkman** of Riverside, **Steve Dean** of Fallbrook, **Craig McElvany** of Santee and **Pat Wright** of San Diego.

To add your name to the list, or to obtain more information on what is required to be a Libertarian candidate, call Campaign '92 director **Ted Brown** at (818) 568-8404 or your county chair (see page 7). Filing for these offices starts in January, so we need to know who you are as soon as possible.

### Beginner's Introduction to Libertarianism

"I heartily endorse A Liberty Primer."

*Ed Clark*

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## LIBERTARIAN NOTES

• **Jon Petersen**, chair of the Santa Clara Libertarian Party, submitted four arguments against tax increases that will appear on the November 5 ballot. The measures involve the San Jose Unified School District, Luther Burbank School District, Campbell Union School District, and Morgan Hill Unified School District. The arguments were written by LP activist **Dave Thomas** and signed by Petersen, **Vicki Hargrove**, and Northern Vice Chair **Mark Hinkle**. The county clerk accepted the Libertarian arguments and they will appear in the ballot pamphlets mailed to all voters in those districts.

• **Dirk Voss**, a Huntington Beach Libertarian, has been appointed to that city's Budget Task Force. Voss, 25, is very excited about the possibilities of "privatization" of city-sponsored venues. As a marine safety officer for the city of Long Beach, Voss feels he has a special perspective on city government and how it relates to its citizens. (Of course, being a Libertarian should give him another kind of special perspective.)

• San Jose area Libertarians are going hiking on Saturday, October 12, at 10 a.m. and invite you to join them. Location: Almaden Quicksilver Park, 11 miles south of San Jose. Meet at the corner of McAbee Road and Whispering Pines Drive. For more information, call **Dave Wolen** at (408) 378-3041. For hikes in the North Bay, call **Lloyd Licher** at (415) 472-3294. For hikes in the East Bay, call **Brian Marrs** at (510) 932-4284 or **Peter Stevenson** at (510) 465-7421.

### EXECUTIVE COMMITTEE TO MEET

The LPC's State Executive Committee will meet Saturday, October 12, at the residence of John Vernon, 6469 Gloria Ave., Van Nuys. The public is invited to observe. To add items to the agenda, call Pat Wright at (619) 497-1085. For more information, call Ed Moss at (714) 986-6677.

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